

Applicant : Sharon Mi Lyn Tan
Serial No. : 10/690,436
Filed : October 22, 2003
Page : 9 of 11

Attorney's Docket No.: 01194-513001 / 03-045

Amendments to the Drawings:

The attached replacement sheets of drawings includes changes to Figs. 1-3, and new Fig. 5, and replaces the original sheet including Figs. 1-3.

In Fig. 1, the phrase "Prior Art" were added. In Fig. 2, element 19 was added and labeled. In Fig. 3, element 18 was labeled.

Attachments following last page of this Amendment:

Replacement Sheets Showing Changes in Red (2 pages)

REMARKS

Applicants amended the specification, the drawings and claims 1, 6, 7, 10, 15, 16, 19, 20, 24 and 26. Claims 1-26 are pending.

The Examiner objected to the drawings. Applicants submit herewith replacement sheets of drawings to obviate the objection, so the objection should be withdrawn.

The Examiner rejected claims 1-26 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,371,944 ("Liu") in view of U.S. Patent No. 5,588,443 ("Davidson").¹ As amended, however, claims 1-26 require a cap coupled to an antimicrobial agent-bearing intervention device, where the cap is configured so that a user can handle the antimicrobial agent-bearing intervention device without directly contacting the antimicrobial agent-bearing intervention device. In contrast, none of Liu, Davidson or Fischell, alone or in combination, discloses or suggests the subject matter covered by claims 1-26. Further, there is no suggestion to combine these reference to provide such subject matter, and, even if the references were combined, the result would not be the subject matter covered by claims 1-26. Applicants therefore request reconsideration and withdrawal of the rejection of claims 1-26.

Applicants ask that all claims be examined in view of the amendment to the claims.

This amendment is being submitted with a request for continued examination and a check to cover the associated fees. Please apply any other charges or credits to deposit account 06-1050.


¹ The Examiner did not refer to a Fischell reference in the opening portion of the rejection. However, the Examiner later referred to Fischell when stating the reasoning for the rejection. Further, the Examiner did not specify which reference was Fischell. For the purposes of this response, however, Applicants assume that the Examiner intended to include US. Patent No. 5,413,561 ("Fischell") in the rejection.

Applicant : Sharon Mi Lyn Tan
Serial No. : 10/690,436
Filed : October 22, 2003
Page : 11 of 11

Attorney's Docket No.: 01194-513001 / 03-045

Respectfully submitted,

Date: 5/9/06



Séan P. Daley
Reg. No. 40,978

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21325486.doc